

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars.

1. In the claims

In the "Amendment to the Claims," claims 1 and 22 are amended to include the subject matter of claim 21, and to further identify the opposed "outermost" surfaces as being "continuously" planar. Support for the terms "outermost" and "continuously" is clearly shown in the drawing figures 2, 5 and 9. The apertures are further defined as being "solely" formed between the outermost surfaces. This feature is also depicted by the aforementioned figures.

Claims 4 and 21 are cancelled in view of the amendment to claim 1.

Claim 22 is also amended to recite that the facing layer has an uninterrupted thickness. Support for this amendment is also found in Figs. 2, 5 and 9, wherein the discrete facing layer is does not include a reinforcing substrate.

New claim 23 recites the embodiment described in the written description at page 23, 2<sup>nd</sup> full paragraph with regard to the dual durometer embodiment of the pending application.

It is submitted that no new matter is introduced by way of this amendment, and that the claims fully comply with 35 U.S.C. 112. Entry of the amendment to the claims is respectfully requested in the next Office communication.

2. Prior art rejections

Reconsideration of the rejection of the claim 1 as being obvious over U.S. patent 6,207,875 (*Lindqvist*) in view of US patent 6,485,776 (*Janusson*) is respectfully requested in light of the amendment to claims 1 and 22, and the following observations.

In amended claims 1 and 22, these claims are amended to particularly identify that the sheet-like shape of the facing layer is defined by opposed, generally

continuously planar surfaces. It is submitted that this feature is not at all disclosed or suggested by *Lindqvist*.

As was pointed out in the prior remarks to the previous Office action, it was pointed out that *Lindqvist* does not disclose or suggest a wound dressing having the silicone gel facing layer required by these claims wherein the sheet-like shape of the facing layer is defined by generally planar outermost surfaces. Indeed, *Lindqvist* clearly shows in the embodiments of Figs. 1 and 2 that at least one of the surfaces of the facing layer has sections that extend into pores or holes in the foam. As such, these Figs. 1 or 2 do not show the continuously planar outermost surfaces required by claims 1 and 22.

Indeed, it is asserted that it is contrary to the teachings of *Lindqvist* to provide opposed generally continuously planar surfaces. For example, in the embodiment of Fig. 1A, the distal surface of the gel layer (3) variably rises at different heights into the open cells or pores (4) of the foam material (2). Because the gel layer (3) variably rises along the distal surface of the gel layer, the outermost surface directly adjacent the absorbent core is not continuously planar. It will be further noted that from this observation, the written description on the embodiment of Fig. 1A does not hint at forming the apertures in the gel layer between planar outermost surfaces.

Regarding the embodiment of Fig. 2A of *Lindqvist*, the gel layer (3') extends upwardly into the holes (6) formed in the foam material (2'). The portions of the gel layer (3') extending into the holes (6) prevent the outermost surface of the gel layer (3') adjacent the foam material (2') from being continuously planar. Further, the portions of the gel layer (3') extending into the holes (6) are clearly not solely formed between outermost continuously planar surfaces, as required by amended claims 1 and 22.

Accordingly, *Lindqvist* fails to disclose or suggest the sheet-like configuration of the facing layer required by claims 1 and 22.

Turning to *Janusson*, this prior art document is merely provided to show that it is known in the art to provide skin treatment additives to a silicone material. It does

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not, however, disclose the apertured sheet-like configuration of the facing layer required by the pending claims.

As for new claim 23, the combination of *Lindqvist* and *Janusson* fails to disclose or suggest a wound dressing having a dual durometer, apertured facing layer of the type required by this claim.

In view of these observations, withdrawal of the rejection of the claims in view of *Lindqvist* and *Janusson* is respectfully requested.

3. Conclusion

In view of the amendments to the claims, and the foregoing observations, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that the present application be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the applicant's attorney, the examiner is invited to contact the undersigned at the numbers shown below.

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Respectfully submitted,



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